

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ALEXANDER RHODES,	:	CIVIL DIVISION
	:	
Plaintiff,	:	
	:	Civil Action No.: 2:19-cv-01366
v.	:	
	:	
NICOLE PRAUSE and LIBEROS LLC,	:	
	:	
Defendants.	:	

**DEFENDANTS' MOTION FOR PROTECTIVE ORDER**

AND NOW COME THE DEFENDANTS, Nicole Prause, Ph.D. ("Dr. Prause") and Liberos, LLC ("Liberos"), by and through their undersigned counsel, and file the within Motion for Protective Order, and, in support thereof, respectfully state as follows.

Dr. Prause and Liberos incorporate by reference their Brief in Opposition to Plaintiff's Motion to Compel Discovery, which has been filed contemporaneously herewith.

In further support of their Motion, Dr. Prause and Liberos state that this Court has provided the parties a limited period of time to conduct focused on the question of whether this Court has *in personam* jurisdiction over Dr. Prause and Liberos. See this Court's Order of May 15, 2020 (ECF No. 34). The few discovery requests propounded by Plaintiff that seek information relevant to the question of personal jurisdiction necessarily involve private and discrete personal information that will have little, if any, relevance on the merits of his claims.

Dr. Prause and Liberos timely responded to Plaintiff's discovery requests, objecting to those that were not relevant to the question of personal jurisdiction, and, without waiving any of their objections, agreed to produce documents responsive to questions relating to their contacts with Pennsylvania, subject to an agreed upon Protective Order.

Counsel for the parties had communicated by telephone and email over the following weeks, because Plaintiff would not agree to a Protective Order that provided for sensitive documents to be produced for “Attorneys Eyes Only.”

After the filing of Plaintiff’s Motion to Compel (ECF No. 43) last week, counsel have remained in contact and have discussed the ideal of allowing for redactions to shield sensitive data in documents exchanged during this limited phase of discovery. Because counsel have not been able to agree to the language of such an Order, Defendants are submitting the attached Order unilaterally.

WHEREFORE, Defendants respectfully request that this Honorable Court issue the within proposed Protective Order to govern discovery that will be exchanged during the limited period of discovery on the question of the Court’s *in personam* jurisdiction over Dr. Prause and Liberos.

Respectfully submitted,

**CIPRIANI & WERNER, P.C.**

By: /s/ William B. Pentecost, Jr.  
William B. Pentecost, Jr.  
Pa. I.D. No. 78054  
650 Washington Road, Suite 700  
Pittsburgh, PA 15228  
(412) 563-2500  
wpentecost@c-wlaw.com

*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 28, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such to all counsel of record.

/s/ William B. Pentecost, Jr.

William B. Pentecost, Jr.

*Counsel for Defendants*